



3635

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/336,207	
	Application Date	June 18, 1999	
	First Named Inventor	Robert McCracken	
	Group Art Unit	3635	
	Examiner Name	Yvonne M. Horton	
Total Number of Pages in This Submission	13	Attorney Docket Number	8594560/97020

ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Deposit Account Authorization: In the event no specific fee has been authorized above or if a check is detached or misplaced, the Commissioner is authorized to charge the TOTAL DUE to our deposit account No. 12-2250. Any adjustment in the TOTAL DUE should be made to our deposit account No. 12-2250.	

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Firm or Individual name	Kent A. Herink, Esq., Davis, Brown, Koehn, Shors & Roberts, P.C.
Signature	<i>Kent A. Herink</i>
Date	5/4/2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

Robert McCracken)

Serial No. 09/336,207)

Filed: June 18, 1999)

For: SPANNING MEMBER WITH)
CONVOLUTED WEB, C-SHAPED)
FLANGES, AND END PLATE)

Group Art Unit: 3635

Examiner: Yvonne M. Horton

*9/Request for Review
EP
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AMENDMENT UNDER 37 C.F.R. § 1.111

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Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

In the matter of the above-identified application for United States Letters Patent and in response to the Office Action mailed February 5, 2001, kindly consider the following remarks under 37 C.F.R. § 1.111 relative to reconsideration of the present application.

REMARKS

Claims 1-11 are pending in this application. In the Office Action referenced above, Claims 1, 4, 5, 6, 7, 8, 9, 10, and 11 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 5,956,919 to McCracken. The Examiner also rejected Claims 1-5 and 8-11 under 35 U.S.C. § 103(a) as being unpatentable over CH000414118 in view of U.S. Patent No. 3,716,959 to Bernardi. The Examiner then rejected Claims 6 and 7 under 35